

1 M. Ali

2 Q. How much did you pay her?

3 A. My husband.

4 Q. Your husband paid her?

5 A. Yes.

6 Q. Do you know how much your husband paid
7 her?

8 A. I don't remember how much he paid.

9 MR. MORRIS: If there is going
10 to be some claim by plaintiff for the
11 cost of Rashad's mother assisting in
12 caring for Rashad and Minerva's
13 children, I would just ask that we be
14 provided with that information in a
15 timely fashion.

16 REQUEST NOTED:

17 Q. Anyone else, besides your
18 mother-in-law, helping you after this
19 accident?

20 A. No.

21 Q. Did any of your doctors discuss with
22 you the results of the x-rays?

23 A. I don't remember.

24 Q. What about with the MRIs, did any of
25 your doctors discuss the results of the MRIs?

1 M. Ali

2 A. Yes.

3 Q. What doctor or doctors?

4 A. Manta.

5 Q. What did Dr. Manta tell you about the
6 MRIs?

7 A. I don't know.

8 Q. What were the circumstances under
9 which your Castle Hill treatments ended?

10 A. What?

11 Q. Why did the treatment end?

12 A. Because the insurance.

13 Q. Would no longer pay?

14 A. No.

15 Q. On that last visit to Castle Hill, did
16 the providers there recommend any home care
17 exercises or other things you should do?

18 A. Not exercises, she recommend to use
19 for the neck and for the back.

20 Q. This is Dr. Manta?

21 A. Yes.

22 Q. You mean recommend something to wear?

23 A. To wear.

24 Q. Like, a brace?

25 A. Yes, to wear.

1 M. Ali

2 Q. Have you ever worn a neck brace or
3 back brace?

4 A. Yes.

5 Q. Have you ever worn a neck brace?

6 A. Before the accident?

7 Q. No. After the accident, did you wear
8 a neck brace?

9 A. Yes.

10 Q. For how long did you wear a neck
11 brace?

12 A. Three to four months.

13 Q. Was this a soft type of collar?

14 A. Yes.

15 Q. How much of the day did you wear it?

16 A. I start to wear it the whole day.

17 Q. What about when you're sleeping?

18 A. No, no.

19 Q. What about a back brace?

20 A. Yeah, I start to use it.

21 Q. How long did you use the back brace
22 for?

23 A. About the same time.

24 Q. Do you still have that back brace?

25 A. Yes.

1 M. Ali

2 Q. Do you still use it?

3 A. Yes.

4 Q. How frequently do you use it now?

5 A. Now, less often. Like, probably, like
6 once a week.

7 Q. Has your weight changed since the
8 accident?

9 A. Yes.

10 Q. How has it changed?

11 A. Less, I lose weight.

12 Q. You indicated, ma'am, you weighed
13 about 170 pounds?

14 A. Now.

15 Q. How much did you weigh at the time of
16 the accident?

17 A. 210, 215.

18 Q. Were you bleeding from any part of
19 your body as a result of this accident?

20 A. No.

21 Q. Did you lose consciousness?

22 A. No.

23 Q. Any bumps or bruises on any parts of
24 your body?

25 A. No.

1 M. Ali

2 Q. Is there anything that you can't do
3 today because of this accident that you could
4 do and did do before this accident?

5 A. No.

6 Q. When was the last time you took any
7 prescription medicine in connection with any
8 pain or injuries from this accident?

9 A. Prescribed one?

10 Q. Yes, the ones that the doctor has to
11 give you a prescription, as opposed to the
12 ones over the counter?

13 A. Like, two months.

14 Q. When you were at the hospital, the
15 emergency room visit, did they give you any
16 medicine at the hospital?

17 A. Yes.

18 Q. How long a supply did they give you?

19 A. Three days.

20 Q. Did they also give you a prescription
21 at the hospital?

22 A. Oh, sorry, no -- oh, yes. They gave
23 me medicine at the moment.

24 Q. They gave you medicine at the moment?

25 A. Motrin.

1 M. Ali

2 Q. That was for you to take while you
3 were the in the hospital, right there?

4 A. Yes.

5 Q. They also gave you prescription?

6 A. Yes.

7 Q. Did they actually give you medicine to
8 take home with you or did they give you a
9 prescription that you would get filled or
10 both?

11 A. No, prescription.

12 Q. The prescription was for a thirty day
13 supply of certain medicine?

14 A. Yes.

15 Q. Do you remember what the medicine was?

16 A. Motrin, 800 milligrams.

17 Q. That is a prescription strength?

18 A. Yes.

19 Q. This thirty day supply, did you use it
20 up?

21 A. Yes.

22 Q. Did you take any more prescription
23 medication after that time?

24 A. Yes.

25 Q. Who prescribed that?

1 M. Ali

2 A. Manta.

3 Q. Manta prescribed a different medicine?

4 A. Yes.

5 Q. Do you remember the name?

6 A. It was a muscle relaxer. I don't
7 remember the name.

8 Q. A muscle relaxant?

9 A. Yes, and Tylenol with Codeine.

10 Q. How long would you take the muscle
11 relaxers for?

12 A. Everyday.

13 Q. Everyday for how long?

14 A. The same amount of time that I was
15 taking the therapy.

16 Q. What about the Tylenol with Codeine?

17 A. She give me those when I couldn't bear
18 it.

19 Q. About how many times did you take
20 Tylenol with Codeine?

21 A. Like, three to four times a week.

22 Q. After the course of treatment ended at
23 Castle Hill, did you ever take any more
24 prescription pain medicine for these
25 injuries?

1 M. Ali

2 A. No.

3 Q. Ma'am, do you have a family doctor at
4 the present time?

5 A. Right now?

6 Q. Yes.

7 A. Yes.

8 Q. What is your family doctor's name?

9 A. I don't know.

10 Q. Where do you see your family doctor,
11 what facility?

12 A. I don't know the address.

13 Q. Is it somewhere in the Bronx?

14 A. Yes.

15 Q. With what frequency do you get routine
16 health care checkups unrelated to this
17 accident, just routine health care checkups?

18 A. Six months.

19 Q. Once every six months?

20 A. Yes. Or more, depends.

21 Q. Your six month visits that you've had
22 since this accident, have you ever discussed
23 this accident with that doctor or doctors?

24 A. Yes, I did.

25 Q. Is it one doctor or more than one

1 M. Ali

2 family doctor that you have seen since
3 October 28, 2006?

4 A. No, I think she is the only one. She
5 wasn't my doctor at that time.

6 Q. When you discussed this accident with
7 her, did she also examine you or not examine
8 you?

9 A. No.

10 Q. Has your family doctor ever issued a
11 prescription for you for pain in connection
12 with this injury?

13 A. No.

14 Q. Has your family doctor made any
15 recommendations to you when you discussed
16 this accident and pain with him?

17 A. Repeat the question.

18 (Whereupon the record was read
19 back by the reporter.)

20 Q. Or with her?

21 A. She asked me if another doctor was
22 seeing me for that and I said yes.

23 Q. Ma'am, any other doctors that you have
24 seen in connection with the injuries you had
25 from this accident?

1 M. Ali

2 A. Yes.

3 Q. Who else?

4 A. I don't know his name. He was a
5 psychologist.

6 Q. Psychologist?

7 A. Yes.

8 Q. A psychologist or psychiatrist?

9 A. I don't know.

10 Q. What is the doctor's name?

11 A. I don't remember.

12 Q. Was that something you paid for
13 yourself or did the insurance pay for it?

14 A. Yes.

15 Q. Was it Castle Hill or somewhere else?

16 A. Castle Hill.

17 Q. Was that Castle Hill?

18 A. Yes, Castle Hill.

19 Q. The psychologist or psychiatrist, was
20 that person's office physically located in
21 that facility?

22 A. Yes.

23 Q. For what reason did you consult this
24 psychologist?

25 A. Anxiety, depression. That was about

1 M. Ali

2 it.

3 Q. Had you ever consulted with a
4 professional before for anxiety or
5 depression?

6 A. No.

7 Q. Did this doctor prescribe any medicine
8 for you?

9 A. No.

10 Q. How many times, all together, did you
11 see this psychologist for anxiety or
12 depression?

13 A. Once.

14 Q. Did the doctor make any
15 recommendations to you?

16 A. Yes.

17 Q. What did the doctor recommend?

18 A. Whenever I feel like I need to talk to
19 someone, to call him. He recommended me to
20 look for a regular doctor, like a
21 psychologist or psychiatrist, whatever, you
22 know.

23 Q. Have you sought or looked for any
24 additional psychological treatment or care?

25 A. No.

1 M. Ali

2 Q. Do you know if that insurance that you
3 have from Affinity covers psychological
4 visits?

5 A. I don't know.

6 Q. Did you ever look into that?

7 A. I try, but through my insurance you
8 have to get a lot of referrals and I don't
9 have it.

10 Q. Ma'am, did you ever see the driver of
11 the car that was involved in the accident,
12 the other driver?

13 A. No.

14 Q. Did you see him after the day of the
15 accident?

16 A. No.

17 Q. Did you ever attempt to contact him
18 after the accident?

19 A. No.

20 Q. Are you aware of him trying to contact
21 you?

22 A. No.

23 Q. Has any doctor told you that you have
24 a herniated disc in your neck or your back?

25 A. I don't remember.

1 M. Ali

2 Q. Did you ever look at your husband's
3 vehicle after the accident to see if he had
4 any body damage?

5 A. Yes.

6 Q. You did see body damage to the rear?

7 A. Yes.

8 Q. What part of the rear had damage?

9 A. The bumper, the trunk.

10 Q. Ma'am, did you ever look at that other
11 vehicle that was involved in the accident,
12 after the accident, to see if it had any
13 damage?

14 A. No, I didn't look.

15 MR. MORRIS: Can we have these
16 marked?

17 (Whereupon two color laser
18 copies of photographs on one page were
19 marked Defendant's Exhibits A1 and A2,
20 for identification as of this date.)

21 (Whereupon two color laser
22 copies of photographs on one page were
23 marked Defendant's Exhibits B1 and B2,
24 for identification as of this date.)

25 Q. Ma'am, I'm going to show you four

1 M. Ali

2 photographs. They are actually laser copies
3 of four photographs that we have marked as
4 Defendant's Exhibits A1 and A2, which is on
5 one page, and Defendant's Exhibits B1 and B2.
6 I'm going to place it in front of you and ask
7 you to look at them.

8 MR. MAYER: Just for the record,
9 defense counsel has provided us with
10 these photographs for the first time
11 this afternoon. We had made prior
12 requests for all photographs. I had
13 an opportunity to show them to my
14 client.

15 MR. MORRIS: We will make copies
16 of these for you and, as you've just
17 mentioned, I did give you privacy to
18 communicate with your client just
19 before we asked questions on these.

20 Q. Have you had a chance to look at those
21 four photographs?

22 A. Yes.

23 Q. Specifically speaking about
24 photographs A1 and A2, is that your husband's
25 Civic?

1 M. Ali

2 A. Yes.

3 Q. That is what it looked like after this
4 accident?

5 A. Yes.

6 Q. Do those photographs show the damage
7 to the rear of the Civic?

8 A. Yes.

9 Q. Was there any damage to the rear of
10 your husband's Civic before this accident of
11 October 28, 2006?

12 A. No.

13 Q. As a result of this accident, was it
14 such that you had to tie down the trunk or
15 otherwise the trunk would go up?

16 A. Yes.

17 Q. Ma'am, looking at Defendant's Exhibits
18 A1 and A2, is that a fair and accurate
19 representation of the damage to your
20 husband's Honda Civic from this accident?

21 MR. MAYER: Just note my
22 objection to form. You could answer.

23 A. Yeah.

24 Q. Now, looking at the other two
25 photographs, Defendant's Exhibits B1 and B2,

1 M. Ali

2 have you ever had a chance to look at those
3 photographs?

4 A. Excuse me?

5 Q. Have you had a chance to look at them?

6 A. Yes.

7 Q. Does that appear to be the interior of
8 your husband's Honda Civic?

9 A. Yes.

10 Q. This is what the interior of your
11 husband's Honda Civic looked like after the
12 accident?

13 A. Yes.

14 Q. Are you aware of any damage to the
15 interior of the Honda Civic from this
16 accident?

17 A. Interior, in the front side?

18 Q. Inside the passenger's and driver's
19 compartment. Are you aware of any damage to
20 it from this accident?

21 A. No.

22 MR. MORRIS: Can we have these
23 marked?

24 (Whereupon two color laser
25 copies of photographs on one page were

1 M. Ali

2 marked Defendant's Exhibits C1 and C2,
3 for identification as of this date.)

4 Q. Ma'am, I'm now showing you two
5 photographs. They're laser copies from my
6 file. We marked them C1 and C2.

7 Particularly, the lower one, which is C2,
8 have you had a chance to look at that
9 photograph, C2 the lower photograph?

10 A. Yes.

11 Q. Does that look like the other vehicle
12 that was involved in this accident?

13 A. Yes, it looks like it.

14 Q. Do you remember the color being like a
15 silver or gray color?

16 MR. MAYER: She said it looks
17 like it. I don't know what else you
18 want her to say.

19 Q. You don't remember it being another
20 color other than silver or gray?

21 MR. MAYER: Note my objection.

22 A. I don't remember.

23 Q. Okay. Do you have any out of pocket
24 expenses in connection with your medication
25 from this accident?

1 M. Ali

2 A. Besides over the counter medicine?

3 Q. Correct, aside from that?

4 A. Besides over the counter medicine?

5 Q. Aside from that. Also, you made
6 mention of compensating your mother-in-law,
7 or you and your husband compensating your
8 mother-in-law, and what you paid in over the
9 counter medicines. Are there any other
10 expenses that you had to pay for?

11 A. Not that I can recall anything.

12 Q. Can you approximate, all together, how
13 much you spent for out of pocket medicine?

14 A. I don't know.

15 Q. Was it less than \$500?

16 A. I don't know how many times, you know.

17 Q. Ma'am, for how long a period of time
18 did your mother-in-law help you with your
19 children and the household chores after this
20 accident?

21 A. A couple of months.

22 Q. How far away do your in-laws live?

23 A. Upstairs.

24 MR. MORRIS: I don't have any
25 further questions.

1

M. Ali

2

MR. MAYER: Just for the record,

3

we were scheduled to do the deposition

4

of the defendant as well, Mr.

5

Lecouriux G. Yannick. I know defense

6

counsel had it scheduled, as well. It

7

seems to have been some

8

miscommunication with the client.

9

He is not here. Though defense

10

counsel made several attempts to his

11

office to reach the witness, it seems

12

like we have been unable to. We are

13

going to agree on the record that the

14

defendant be produced on another date

15

which is mutually agreed between all

16

parties

17

MR. MORRIS: My office will

18

produce him here because of scheduling

19

issues and certainly it is a

20

comfortable place to have a

21

deposition.

22

This morning and this afternoon

23

we did attempt to get in contact with

24

our clients. This was confirmed

25

yesterday. I'm not sure why he is not

60

1 M. Ali
2 here at this time, but certainly
3 defense counsel has attempted to
4 contact him this morning and this
5 afternoon by office staff.
6 So, yes, we will certainly agree
7 to produce him at a mutually
8 convenient time at the office of
9 plaintiff's counsel. Thank you.

10 MR. MAYER: Great. Thank you.

11 (Time noted: 2:31 p.m.)

12

13

14

15

16

MINERVA ALI

17

18

19

20 this day of 2008.

21

22

23 Notary Public

24

25

61

1

2

EXHIBITS

3

4 DEFENDANT'S FOR

	IDENTIFICATION	DESCRIPTION	PAGE
5	A1 and A2	Two color laser copies of photographs on one page.	53
6	B1 and B2	Two color laser copies of photographs on one page.	53
7	C1 and C2	Two color laser copies of photographs on one page.	56

9

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14

INFORMATION/DOCUMENTS REQUESTED

15 PAGE

DESCRIPTION

16

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24

25

41 Production of information on the cost of Rashad Ali's mother assisting in the care of the children.

1

2 C E R T I F I C A T E

3 I, TRENISE JACKSON, hereby certify
4 that the Examination Before Trial of MINERVA
5 ALI was held before me on the 8th day of
6 February, 2008; that said witness was duly
7 sworn before the commencement of her
8 testimony; that the testimony was taken
9 stenographically by myself and then
10 transcribed by myself; that the party was
11 represented by counsel as appears herein;

12 That the within transcript is a true
13 record of the Examination Before Trial of
14 said witness;

15 That I am not connected by blood or
16 marriage with any of the parties; that I am
17 not interested directly or indirectly in the
18 outcome of this matter; that I am not in the
19 employ of any of the counsel.

20 IN WITNESS WHEREOF, I have hereunto set
21 my hand this 26 of 2008.

22

23

24

25

Trenise Jackson

TRENISE JACKSON

ERRATA_SHEET

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CORRECTION

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